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CANNONS OF CONSTRUCTION

THE ♦ LAW ♦ STUDENTS' ♦ NEWSPAPER

VOL. 19 NO. 4 MARCH 1989

Thrills 'n Chills of Solo Flight

by Sylvia O. Tensfeldt (Practitioner)

Some time ago I was requested by a member of the *Cannons* to write an article outlining the pros and cons of running a sole practice since I was learning first hand all the ramifications of making the decision to venture out on my own. Please remember as you read this article, that these are my views and my limited experience and not necessarily that of any other sole practitioner. Having said that I doubt that the experience is very much different.

Space and Equipment

One of the great pluses of sole practice for the fledgling lawyer is that you may be able to work initially from your home or without the aid of a secretary by investing in some equipment. Therefore, you may be able to save yourself some dollars while you attempt to establish a fruitful practice. At the very least you will need a typewriter or a personal computer and a desk or area from which you can work.

Even with the computer, you will discover that it has limitations and a typewriter may yet be needed (for something as small and mundane as doing envelopes!). Further, if you do not intend to hire assistants immediately, you will need an answering machine to collect all those calls that you might otherwise miss while you are away from the office, either doing research or appearing in Court.

You will also need stationery supplies, a not small investment, including business cards, letterhead and statements of account. Bank accounts will have to be set up *and* the requirements of the Law Society concerning your bookkeeping system will have to be met. This means that you will have to engage the services of an accountant, at the very least to have him sign the Form U required by the Law Society concerning trust accounts.

Another important issue which you must bear in mind from the first day that you begin articles, is the acquisition of precedents. Although you have learned or will learn from your Civil Procedures class that precedents are not the be all and end all of legal drafting *they are at least a start*. There are times when they will at least set you off in the right track and they will give you an idea of what you should be doing in specific circumstances. *Start collecting, retaining and organizing them from the first day you begin articles.*

Have a binder of some sort and place an extra copy of everything you do or which you may run across which could help you in the future, label it and hold on to it. This will help you no matter what happens to you after your articles and will save you an inordinate amount of time in the future.

Practical Cons and Pros

Primarily, you have the problem of having no one to whom you can turn to discuss your concerns or ideas on files. Although we all leave law school with the belief that we know everything there is to know about the law, or we know where to find the answer immediately, it is always amazing to me how deficient our knowledge truly is concerning what should be the simplest of matters.

Also, there is no opportunity to pick up any overflow from the other lawyers in the firm in terms of work which they are not interested in or which they simply cannot handle because of time restraints. So, while an association may be costlier, it may also provide you with a source of work: not something to be dismissed lightly.

If you are not by nature what I would term a "piranha" the sole practice may not be the best course. Attracting clients takes a great deal of time, effort and finesse, and is not for the faint of heart. Some of the clients which you may wish to obtain already have lawyers. Do not let this deter you if you believe that you can offer them something which their lawyer cannot; perhaps it is more personal or efficient service or lower fees for equal or better quality work. However, remember, there are firms with big names and proven records that are also trying to attract clients. You are not panning that gold stream alone.

Bear in mind that there are still people who refuse to deal with answering machines, and the reality is that you cannot always be at the office to intercept that new client. Make the message on the telephone sufficiently appealing and professional that people will feel comfortable leaving a name and number and assured that you will get back to them shortly *and follow up*.

Finally, there is the problem that you are isolated. It does not take a great deal of time to find that you are losing touch with your classmates and colleagues in other firms. You simply have no ready source of contacts or common meeting ground any longer. Casual contact becomes infrequent. You will have to work hard to maintain your contacts if for no other reason than to be aware of coming changes in the law and events at the Law Courts which may affect you and your clients. The social aspect of the practice of law is as important as knowing the law.

Notwithstanding all of the foregoing, there are advantages to working on your own. You can practice in an area of law you like or are interested in, rather than being guided by the firm into doing solicitor's work when your true desire is to become a power in the Courtroom, or doing only collections work when you would rather be concentrating on corporate, but the firm requires someone in a special area and therefore you find yourself accepting the position because you wish to remain with the firm. To some extent, your attitude will change in private practice when the question of survival arises but you have more control than when in a firm and that can be worth a great deal to your peace of mind.

cont. on page 3

Here's to the Class of '89

March is Moot Month

by Lynn N. McDowell (3L)

Hail the conquering heros who defended the proud U of A name in national and international moot competition! While not all the scores are in, the season is almost over, and we can be proud.

Kevin Feth (3L) and Silvia Yee (3L) took top honors as best oralists in the Jessup International and the Gale Cup respectively. Kevin beat out 83 other competitors — all the Canadian law schools and several US schools were represented — and Silvia beat 75 competitors from all 19 Canadian schools.

The Gale Cup (Canada-wide, 3rd Years): Bruce King, Kathleen Kohlman, Joe Nahman, and Silvia Yee. The team took their third place standing in the moot-off (a new phenomenon at the Gale) in Toronto with grace; they knew they were in first place at the end of the elimination round, and thus by last year's rules, were the *real* winners.

The Clinton J. Ford (U of A 3rd Years): Bruce K., Kathleen K., Joe N., Silvia Y. Bruce and Kathleen received the winner's prize from the office of the AG — barrister's gowns.

Alberta Challenge Cup (2nd Years, U of A vs U of C): Constitutional — Dexter Dombro, Barbara Glod; Property - Tom Bulmer, Dan Misutka; Criminal - Buddy Melnyk, Martin Shultz. The three teams made a clean sweep, winning all three areas rather than the required two in Calgary. The cup is back where it belongs!

Edmonton Bar Assoc (U of A, 2nd Years): The Constitutional and Property teams of the Alberta Challenge faced off before meeting the U of C, and Dexter D. and Barbara G. emerged victorious.

Laskin (Admin. Law, Canada-wide): Bridgette Fouillade, Tom Bulmer, Sabri Shawa, Karen Munro, Dexter Dombro. Mooting in Moncton March 8 - 11.

Western Canadian Trial (Criminal):
Allison Stewart, Bill Hogle and Robert O'Neil. To be held in Vancouver.

Jessup International (Canada, U.S. & Europe): Tom Achtymichuk, Kevin Feth, Sean McMaster, Heather Treacey. The team went to the Canadian nationals in Montreal, but has not yet received word of the over-all team standing. Kevin, however, really wowed the judges.

Niagara International (Canada, U.S.): Edith Cook, Sandra Corbett, Leslie Hills, Martin Schulz. On Mar. 16 - 18 the team will be in Cleveland, Ohio arguing the protection of heritage sites and the environment.

Prof. Wood of the Moot Court Committee says a subcommittee report will be tabled this week to strengthen the already strong performances of teams. The Moot Court Committee is: Profs. Wood, Graydon, DeCoste, Reif and Pringle, and 3L students Earl Evaniew, Max Wandinger, Mae Khirdaji, and Darren Bieganek.

Gale Cup Winners

Step Up To My Carrel

Now it's time to say good-bye to all our company,
M-I-C... See ya real soon!
K-E-Y... Why? Because we like you!
M-O-U-S-E.

This is the final issue of the *Cannons* for the year. For one-third of us, it is also our final year at law school; and in fact, our *final* exams are fast approaching. What a relief!

There are so many things I'd like to say, but because of the size of this issue and the amount of copy herein, I think I'll be brief. Besides, I think Blair Clintberg said it all in his Valedictory speech, *infra*.

Mostly, I would just like to say a big THANKS to all the contributors to the *Cannons* this year, especially the likes of Blair Clintberg, Rick Morris, Rick Beingessner, Sandra Corbett and Heather Treacy. I never minded extending deadlines for any of you because I appreciated your creative and humourous contributions.

I would also like to say thank you to the wonderfully inspired staff with whom I had the enormous pleasure to work this year. Judging from all the positive feedback we received, I think we did alright for a bunch of amateurs!

In closing, I'd like to relate a conversation that actually happened at the grad formal dinner. My dad asked me, on a scale of 1 to 10, how I'd rate my law school experience. I said it was an 8. Then my sister asked him how he'd rate the past 30 years of his career (incidentally, he's retiring this year). Without hesitation he said, "10." My wish for all of us is that we are able to say that about our own careers in the years to come.

Good luck!

Laurie Podiluk

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Special thanks re last issue: (when it was -40°C) to Mary Jane Armstrong

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Letters to the Editor

Dear Editor:

As a silent observer at the last LFC meeting, I was appalled at the revelation of how marks are determined in this institution — or more precisely, how they are re-determined by the Marks Approval Committee's (MAC) mood. Talk about the Big MAC attack!

After Prof. Law's seven-minute diatribe, obviously drafted to justify MAC's sweeping powers to an unusually large gallery of students, I was left with some disturbing questions: Is MAC's bizarre administrative practice a legitimate, sanctioned exercise of the power delegated to it by the Dean? What powers of discretion, if any, do professors actually have in grading?

In listening to the 4th floor justifications for the MAC method of control, one was impressed with the recurrence of the word "policy." In fact, it soon became apparent that the term has changed meanings so often upstairs that it no longer conveys anything specific. To wit — Policy, as used when explaining why the stanine system was adopted, has a benevolent, "fatherly concern" overtone. It was meant to protect students from unwarranted failure that might be inflicted through "the luck of the draw" by a bad prof. It connotes a philosophical ideal.

As used by John Law, policy is not a philosophy that underlies procedure, but procedure itself — i.e. we followed all the prescribed steps (without, it seems, considering why).

As used by Dean Christian, policy is now an inflexible rule. He reminded us that it can be used for or against students. This threat is true of rules, but policy — at least as initially explained and used in courts — is benevolent and flexible.

It seems that "discretion" too has become a meaningless buzz-word.

First, the LFC manual gave discretion to instructors to deviate from the curve which necessarily implies the presumption that they are competent to exercise discretion. Later, MAC was given discretion over the instructor's discretion. This in effect vitiated the presumption of professorial competence to exercise a right. By placing the onus on the professor to satisfy MAC's unarticulated criteria, MAC was put in a superior position, answerable to no one? As Dean Christian noted, to this point all instructors have bowed to the wishes of MAC, which have been expressed as strict adherence to the prescribed stanine range. Professors, it seems, realize that MAC's power is in reality a veto power, as illustrated in its unilateral slashing of Advanced Constitution marks.

More distressing is the total lack of restraints on this veto power. There is no criteria of what MAC must consider before vetoing a professor, and it has refused to look at some pretty basic things:

1) Primary evidence - the papers themselves, which are supposedly the basis of marks;
2) The professor's experience and national reputation;
3) The circumstances which contributed to the size of the class, such as a demand for exceptionally creative thinking, superior interest, and research.

The fact that two of the papers have already been snapped up for publication also seemed to fall on deaf ears. MAC looked instead at what the faculty freely admits is a purely fictional indicator of ability and performance: past ranking on the stanine! Using one's stanine mark in Real Property to judge competence in Constitutional Law is like using circus mirrors to estimate a stranger's true height and weight.

Not surprisingly, MAC indicated *nothing* that a professor *could* use to convince them deviation was justified: when a distorted fiction is the ultimate criteria, what can justify an exception?

Professor Law is distressed at the distrust of students. Well, if the purpose of MAC is to act as a safety net (policy definition #1), perhaps it should demonstrate some substantive or even procedural fairness. Maybe MAC should look at the history of why it exists (policy definition #1) instead of standing on vague, unarticulated "policy" (definitions #2 and #3).

Unfettered discretion of a body exercising delegated power is, we learned in Admin Law, illegal. What's really baffling about this faculty's disregard for procedural justice is that it is defended by the leading lights of our faculty in Admin Law. Maybe Shaw's maxim applies to the implementation of administrative justice too: Those who can, do; those who can't, teach.

Hoping Shaw's Wrong,
A Little Pecker

Dear Editor:

[soft music...]

Imagine if you will: a long rectangular table, a room with doors that open and close, and minds that appear prone only to the latter position. In this place the curriculum committee meets. Four faculty members and four elected students to engage in an exercise fruitless but for the produce provided by the local caterers. To this place faculty members bring strange proposals. Motions are discussed, passed, and ultimately never seen again. Nature may abhor a vacuum, but one exists in this place.

We were four unsuspecting law students who believed that we were going to have a voice in the faculty's course programming, and an influence on the direction of student education. We thought that we were elected for a reason. We believed in the system.

Little did we know we were entering... the Twilight Zone Curriculum Committee.

[music crescendoes, then fades...]

When the four of us assumed our positions on the curriculum committee in 1988, we did so with the peculiar naivete of the newly elected. All of us had made the election promise to keep students informed of what was going on with the Faculty of Law's curriculum choices, however this promise assumed that we in turn would be informed. The above introduction may be a dramatization, but it is an unfortunately accurate one.

We were not the *long-range* curriculum committee — in fact, we didn't know there would be a long-range curriculum committee until after we were elected to the regular one — and so the general policy and direction behind course selection was not within our jurisdiction. We had no short term implementation power, and so immediate course offerings were not within our jurisdiction. We were told firmly and repeatedly that we were not to consider broader issues, but stick to the narrow niche reserved for us as a kind of collective "yes man". Proposals were handed to us neatly tied in red tape, and they were then taken away to L.F.C. meetings.

At the beginning of the school term we were told to reformulate the Faculty's written work requirement. The Assistant Dean's concern was with the use of Professional Responsibility and two credit papers to fill the requirement. (Our final decision could be irrational, arbitrary or ridiculous, as long as it was "certain".) Our committee took some months over the decision, but our final proposal to the L.F.C. was made only after a full canvassing of all the relevant issues.

In February, our recommendation was placed before the L.F.C. The submission was made badly without any supporting reasons, and none of us were given any notice of the meeting. One of us was present only by sheer chance. Two points were raised against the proposal, and because the two faculty curriculum members present were either unwilling to raise or had forgotten the counter-arguments to those very points, the proposal was voted down within five minutes.

While the L.F.C. vote could well have been negative in any event, we should have been allowed, with our apparently sharper memories, to give our reasons for the changes which were advanced. At the very least, we could have been notified of the meeting so as to allow us time to communicate with the L.F.C. student representatives.

Various other proposals have been made to the Committee throughout the term. Some were good ideas, and we either approved them or not, before passing on to other things. Our committee was like the person in the assembly line sweets factory who places the squiggly line on top of each chocolate. The inspection and packaging takes place elsewhere, and with or without the squiggly line the stuff still rots your teeth.

In looking back perhaps there were other options available to us. We might have been more vocal about our need for an actual role within the administration. We could have protested the formation of a new "long range curriculum committee." Perhaps we should have refused to pass any motion which came before us. However that would have been acting childish only for the sake of our being treated like children.

What has become abundantly clear to us is that the best way to invalidate student representation is to split it up amongst narrow task-oriented committees. If there is no line of communication between pockets of student representatives, faculty decisions can be made without the disruptions engendered by a fully informed student body. The election of members for the long range curriculum committee increases student representation by body count, but what has it really done for our collective influence on the third floor?

cont. on page 3

Law Library Policy

Restricted Materials:

It is important that primary legal materials *always* be available for study and research. It is for this reason that certain materials (i.e. law reports, statutes, and legislative materials) do not circulate. All users are requested to *reshelve* this material.

Materials shelved in the Reference Area and Special Collections Room are also restricted to use in the Library. It may beome necessary from time to time to restrict other materials. Books in the Reference Area are to be used in that area only.

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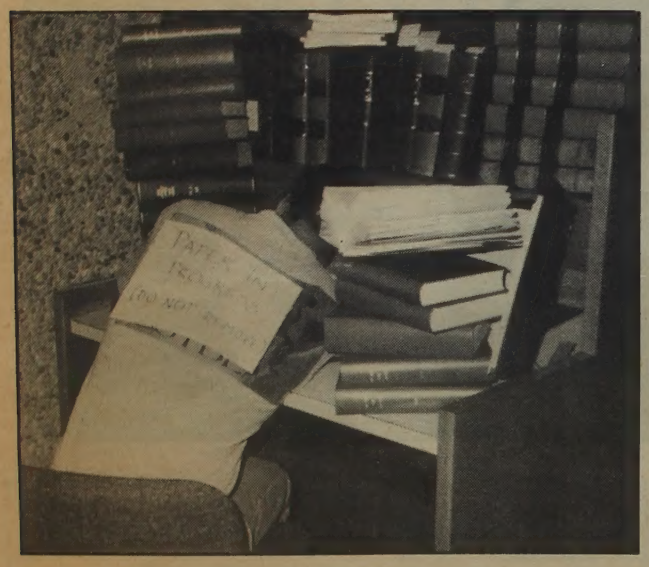
You must sign out all materials and state locations (floor: table, carrel number or shelf); otherwise, materials will be reshelved!

Library staff and your fellow students must be able to locate materials!



Notice

Please be advised that March 26, 1989 is a dark and gloomy day for one 2L student, former Queens rugby player and ahem! soccer great. This celeb non runner will be celebrating his 3rd - 30th Birthday on the 26th. Therefore as a precaution to all 1L, 2L and 3L women: a restraining order has been issued against this blond, vociferous and sardonic rugby ex-great with his thick mustache (so he calls it, we know the mustache is a collection of backcombed coarse nasal hair pasted with axel grease over a thin collagen free upper lip) to cease and desist in attempting to reclaim his youth.

Solo: cont. from page 1

You do not have to deal with office politics or personalities. There is no doubt that there will always be this concern to some extent because that is the nature of the beast: people seek to become lawyers because of their personalities and it is those personalities which make them successful at what they do. If you do not have that strong instinct for success and strong egos, which also makes one rather singleminded in purpose, you will not succeed in the practice of law. We all have it, it is just stronger in some and you may not wish to deal with it: sole practice avoids it, but only in terms of office life, not the practice as a whole.

Another positive is that whatever you do earn, you can honestly say you have earned yourself. You did not simply pick up a paycheque, undoubtedly earned. It provides a very positive and real connection between work well done and completed for the client and our remuneration. Therefore, it carries with it more pride in accomplishment and instills in you a desire to accomplish a great deal more.

These are definite pluses which should not be lightly dismissed, and often out-weigh the negatives. So much depends on your goals and views of life and what you envision for yourself in terms of your career and personal life.

Final Tips

The only and perhaps best advice I can give, is that you *start acquiring client loyalty from the first day you begin your articles*, even if you believe you may not have alot to offer the client. You are far more competent than some senior counsel would have you believe even after only one year of practice. *So believe in yourself.*

Care about any client you do work for. The clients that you deal with even during your articling year, if you have shown them good work, a sensitivity to their problems, concerns about their business (even if only a small or no fee would resut), and that you have clearly and simply advised them so that they understand the legal mumbo jumbo that lawyers oft espouse, they will return to you. Always keep in mind they may be very important to you in the future either in terms of return business or referrals. *Never* underestimate word of mouth. Entire careers are based on it, both in terms of accolades which will deliver your work and negative reports which will destroy your career.

Make a serious evaluation and clearly understand your personality and needs before making a determination of which route you will pursue because it will have a great influence on how well you succeed.

Also, make an effort to retain your friendships. They are hard to acquire and every harder to keep but they can be sources of inordinate comfort, support and *work* in the future.

Lastly, *good luck*. Whichever avenue you choose or is thrust upon you, it will not be easy. The best advice comes from the old Scout and Guide manual whose first maxim is "Always be prepared." Nowhere is that more true than in the profession of law.

Letters: cont. from page 2

Fair warning then is being given to next year's potential student representatives on the curriculum committee. You are currently running for positions of reduced responsibility and little influence. You will have to deal with a jurisdiction unknown except for its extreme narrowness of scope, and an inability to track the very motions and ideas you have worked on. The situation is not hopeless though.

If you work with every one of your fellow student representatives to bridge the gaps between committees, and help to found a truly unified and informed student voice, you collectively stand a chance of being the lion which roared where we barely squeaked. You *can* be the bridge between students and curriculum, but it takes exertia to overcome inertia.

We wish you all the best. Everyone needs luck in... the Twilight Zone.

The Twilight Zone Committee
- Kevin Feth
- Lynn McDowell
- Rob Reynolds
- Silvia Yee

Dear Editor:

It is with great sadness that the Faculty of Law will be losing one of their most talented and long-standing students to the East this coming spring.

This 4L student, recently engaged, will be spending his time commuting between Canada's two cultural centers in the hope of learning and practising the law, honing his creative journalistic skills and enjoying his greatest achievement in reaching the male pinnacle of success finding a woman to support him.

This bearded and bespectacled intellectual wonder should be awarded the Stephen Leacock Award for humour in creative writing he certainly kept the profs and students bemused with his writing exploits.

Yes, it is a pity that the West is losing such talent. However, a glimmer of hope exists as this 4L student has recently been nominated for President of LSA for 89-90. Vote RM (5L).

Signed,
Anon.

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Fireside Chat

by Rick Beingessner (3L)

Yahoo! You'll be glad to know that this is the last installment of the Fireside Chat. Though this column may have bored the reader from time to time, it was created to keep students abreast of what the L.S.A. Executive is up to and some times we're up to pretty boring stuff. There are, however, a few lighter moments I'd like to make regarding social matters.

First of all, I think all would agree that the Stag this year was a classic. Kudos go to Norm Anderson who, despite going down with a severe ankle injury in the dress rehearsal for Swine Lake, turned in a stellar performance. Perhaps the heavy doses of Larry's Rye we all consumed to overcome stage-fright also served as a good anaesthetic.

The meal, I think, was pretty fair considering our efforts to keep costs down. The bar service was good and, despite the high costs of going high-tech in the video department, it seems to have been a worthwhile investment. The good service and entertainment seems to have kept the natives happy, since the damage done to the hotel was well below average. As a result, the L.S.A. has been invited back to the same hotel next year for the first time in living memory. (We either did very well or screwed up very badly!)

Of course, it could not have been a success without the efforts of the Stag Committee (Glenn Warkentin, Barb Mason & Sandra Corbett), all those who put a great deal of time and effort into the videos, and all the members of the L.S.A Executive.

The second social matter worth mentioning is the alleged Johnny Weir Golf Classic. It may or may not have happened, it may or may not have been fun, and it may or may not have been sanctioned by the Fourth Floor, the L.S.A. or the P.G.A. The coveted Green Jacket goes to Yair Leibovitz for drinking, duffing and dying beyond the call of duty.

The last social matter worth mentioning is the upcoming Nickel F.A.B.S. on Friday, March 17: St. Patrick's Day. Although we decided against green beer (the Common Room would be stained a permanent green), we're trying to maintain the spirit of the day by asking all patrons to wear green. With these socal matters out of the way, I'll now try to cover a few general matters regarding the L.S.A. this year.

At our very first Executive meeting we established that we would have two priorities. Firstly, while past administrations have been quite responsible in financial matters we believed they have not always been successful in communicating this to the students. Thus, this column was created and in the first issue of the *Cannons* we published a general operating budget provided by V.P. Finance Dick Olson (most ably I might add) and have provided budgets on specific activities as well (see Stag budget *infra*).

But we believe the provision of the general operating budget helped not only the students, but the L.S.A. Executive itself. We tried to stick to the budget and by so doing it appears that, notwithstanding the deficit of approximately $2,400 we inherited, we should leave the L.S.A. with a surplus projected to be around $4,000. One of the chief financial successes has been the farming out of FABS as fundraisers. Every FABS was traditionally a loser, but the introduction of bartenders having a stake in the profits has meant a break-even result for the L.S.A. and several hundred dollars raised by each Grad Class. In sum, I think we had some success in the financial area and I hope it continues.

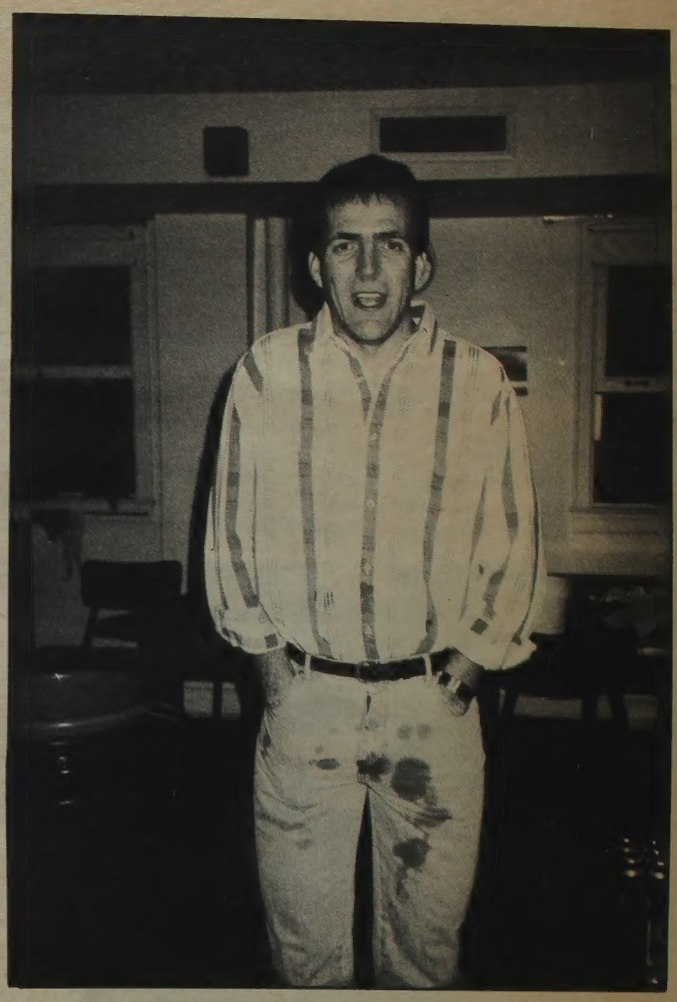
The second priority of this Administration was to increase interaction between faculty and students outside of the classroom. I believe we've made significant in-roads here too. Due largely to the efforts of Dean Tim Christian, Associate Dean John Law, all the members of the L.S.A. Executive and an enthusiastic group of professors, faculty attendance at various functions was up sharply over past years. (I might also note that student attendance at heretofore largely faculty functions is up sharply witness the packed house at the L.F.C. meeting last week!) I hope this trend will continue as well.

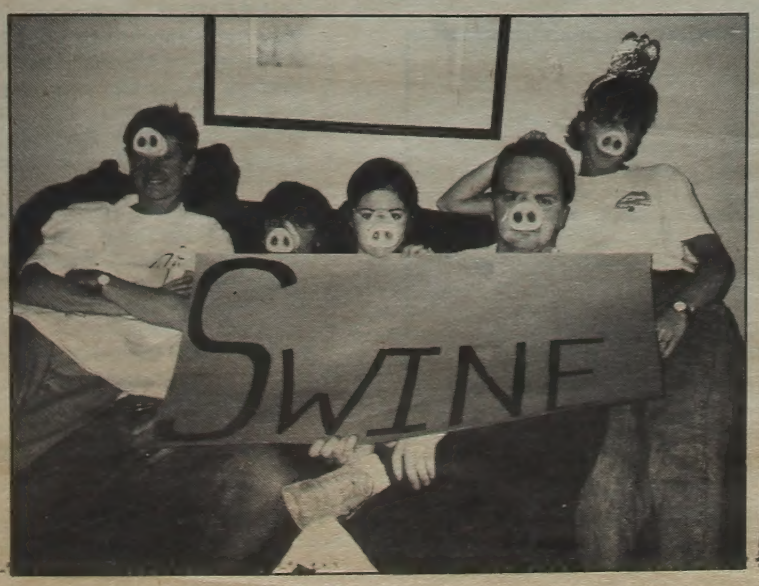
The L.S.A. has been busy on a few other matters as well. Regarding society incorporation, I've done some preliminary work, collected the by-laws of most law student societies across Canada and, in consultation with the L.S.A. Executive and others, have put together a draft set of by-laws for the L.S.A. which should comply with the Societies Act, RSA 1980, c.S-18. Unfortunately, there is not enough time to incorporate the Association this year, but much of the ground work has been done. These by-laws will be posted shortly and amendment proposals may be submitted either to the outgoing or the incoming L.S.A.

Next, as foreshadowed so admirably in the last paragraph, it is election time. So far, it appears as though there is a large number of candidates running for each L.S.A. and Committee position; it's great to see democracy at work. Notwithstanding the results of the election, all of the candidates are to be commended for contributing to the betterment of the Faculty.

While we're on the topic of democracy at work, I would also like to commend all of the L.F.C. Reps and all students who took in the last L.F.C. meeting. Without commenting on the specific issues at hand, I would just like it to be said that it is refreshing to see so many students take an interest in their legal education beyond the classroom.

Next, I would like to use this public forum to deliver a personal message: firstly, I'd like to thank Laurie Podiluk and the *Cannons* staff for agreeing to publish this column and for tolerating the illegible writing of late submissions time and again. Next, I'd like to thank all the members of the L.S.A. Executive. I think I can fairly say that it was a lot more work than we thought it would be, but it was well worth it! The insight, talent and patience displayed by all of you made my job a lot easier. And finally, I'd like to thank the Law Students themselves, whose assistance, advice and tolerance made this a memorable and rewarding year for all of the L.S.A. Executive members.





STAG

Revenue:	
Ticket sales	8,570.00
Expenses:	
Damages (Last time we were at this hotel the damage was in excess of $2,500. I'm not sure if this means we don't know how to party or what?)	196.40
Gifts (for Class President, Dean and Associate Dean)	85.00
Dinner	6,637.28
DJ	275.00
Tickets	53.76
Wine	197.00
Costumes, props, decorations and miscellaneous	632.39
Video Equipment (This equipment was a first and it was a great success)	430.00
Hospitality room	540.50
Total Expenses:	8,993.28
Total Loss: (Please note: historically this event has been operated with a deficit of approximately $2,000.00)	(423.28)

A Short Note From V.P. Finance:

I would just like to add that more financial statements will be posted on my board in the hall; watch for them.

I would like to thank all the law students for this opportunity to work with and for them. I have enjoyed it immensely and hope that my efforts have, in some small way, helped to make your "law school year" more enjoyable.

Best wishes to all.

Dick Olson (3L)

EMERY JAMIESON

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Law Micro-Lab Open

You may recently have noticed a new kind of activity on the first floor of the John A. Weir — a microcomputer facility has been opened. One of its most important functions is to provide Law Students with a powerful on-site set of tools for doing research, preparing papers, and learning the Law.

The Lab contains 22 IBM PS/2 Model 50 computers, linked through a network to each other, printing facilities, and the outside world (e.g. SPIRES and QL databases). Local printing is done on either a dot-matrix printer, or, for a fee, a Laser printer.

Current Micro Lab hours are:

Mon - Thurs	8 am - 9 pm
Fri	8 am - 5 pm
Sat	Noon - 5 pm
Sun	Noon - 9 pm

Proctors are there evenings and weekends to assist with questions or problems. At other times, the phone in the Lab is a link to University Computing Systems (UCS) trouble-shooting, or users can contact Mike in the Library.

The computers can be used independently, and will handle most IBM software any users are likely to have. So, people who have a favourite word-processor or chess game can bring it in and try it out. But the system has also started out with a built-in software tool — WordPerfect — the first of many helpful offerings anticipated. We're also looking into acquiring a 'friendly', useable form of organizer, for people who want to get their materials under better control.

And, added to the QL searching tutorial now mounted on each machine, there will be additional self-paced learning packages, which a Law student will be able to use whenever needed.

You don't have to be a 'hacker' to feel comfortable starting out on one of these computers, just (a bit) patient and (a little) literate. When a machine is turned on, it shows you a menu, and from this menu you choose what you want to do.

If you want to use WordPerfect — the real thing, not the tutorial — you need to bring a 3.5" diskette with you (they're available at the Book Store). If you want to search on SPIRES — for example, the Alberta Case Locator — or venture to QL, you require MTS and QL I.D.s and passwords. If you're feeling versatile, you can transfer records from SPIRES or QL to your own diskette, then print this material in the Lab. Or you can edit it with WordPerfect, or excerpt some parts into another document, or...

So, if you haven't been into the Lab, or visited one of the 'Lab Intro' sessions, you're invited to drop in, ask questions, and try it out.

Spring: When a young man's fancy turns to love

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Good Luck on your Final Exams

Conflict in Legal Community

by Rick Morris (4L)

More than 1500 lawyers from across Canada converged on the Law Centre Sunday, chanting legal maxims and calling for a ban on the controversial book, *Lex Versus Satyricon*, written by U of A law professor, Charlotte Graymatter.

The protestors, many of whom arrived in corporate jets and school buses, represented 30 different Legal Associations. About 4,000 lawyers live in the Edmonton area.

The protestors demanded that Canadian authorities ban the publication of the book and punish the author. "This is an insult to every lawyer. We demand that our profession be respected," said Peter Dobbie, a bespectacled law student attending the University of Alberta.

The demonstrators snarled traffic for more than two hours as they took their protest from the Law Centre, across the High Level Bridge and to the Provincial Legislature, which was not in session. Many carried signs criticizing the government for allowing the book to be sold in Canada, and shouted, "Make her giggle!", echoing the words last week of Chief Justice Brian Dickson, who called for the "execution" of Graymatter in retribution for having penned the controversial work. More than $6.50 has been offered to the person who tickles Graymatter at the next FABS.

The protest was the latest in a series of protests centering on the recently published *Lex Versus Satyricon*, which many characterize as a blasphemous attack on Canada's legal system. A radical-marking leader, Dale Gibson, said on the weekend that every effort would be made to tickle Graymatter "in defence of Law, the Bar, and the Casebook system." When asked whether this breached Graymatter's constitutional rights, Gibson retorted, "They are forfeited."

Noted legal historian, Frank Jones, was approached by the *Cannons* for an analysis of *Lex Versus Satyricon* and asked why the normally profit-driven legal profession was so aroused by a seemingly dull satire.

According to Jones, the book is full of references which parallel accepted legal beliefs, and threatens to remove the mystique which allows lawyers to wear cool robes, make up latin maxims and charge clients large sums of money for relatively simple services.

The *Lex Versus Satyricon* closely parallels *Blackstone's Commentaries*, the *Koran* of the legal profession. Although Graymatter claims that the book meant no offence, and points out that any possibly offensive passages occur as dream sequences where the central characters are being tempted by the civil law reformists,

Frank Jones sees it differently. "You have to realize that what Graymatter has been doing is like prodding a sleeping lion with a stick. Unfortunately, she woke it up, and it is angry — you just can't expect to ridicule icons like Blackstone with impunity. If she'd brought Denning into it, the zealots would have got to her already."

Jones pointed out that Canada is particularly sensitive to this kind of satire because it is one of the few jurisdictions which has both civil and common law systems. "Graymatter has just gone too far — she deserves to be tickled." Jones points out that a number of the characters, "too many to be a coincidence," make obvious references to the place of law in today's society, and therefore threaten it.

According to Frank Jones, the names of the characters make it obvious that the work is more than a satire; it is a subversive work aimed at toppling the legal hierarchy.

"Tim Christian is the anti-hero, and his name is an obvious reference to the Judeo-Christian roots of our legal system. In addition, his name is similar to Fletcher Christian, the leader of the mutiny on H.M.S. Bounty — obviously a cry for rebellion."

Jones also points out that the name "John Law" makes that character representative of the system as a whole, which makes Law's death, caused by aspirating his own vomit, particularly provocative. In addition, the "James *Robb*" character, ostensibly one of the book's positive characters, can be regarded as a comment that lawyers are bandits who, while appearing to do good, are actually *robbing* the client of both money and free will.

Professor Jones says there are many other characters in the book which obviously mock portions of the legal system taken very seriously by lawyers. "The 'Wally Ms.' character obviously relates to the position of women within the law, and the "Dean Jones" character is clearly meant as a statement that the law works in a very Disney-esque — that is cartoonish — manner. This interpretation is borne out by the fact that Dean Jones' secretary is named "Bambi."

Author Graymatter has been incognito for three weeks now, but with exams fast approaching, it will become increasingly difficult for her to remain in hiding, and the reaction of the legal community does not seem to be mellowing. Law professor Len Pollock commented yesterday, "It's a disgusting work she deserves what she gets. In fact, I wouldn't mind tickling her myself."

Bryan and Wilson

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Law students '88 - '89

MOLSON

salutes you!

Class of '89: 2009

"Where, Oh Where Will They Be?"

Stephen Abraham - (aka the Reasonable Man) now mayor of Burlington, Ont.; serves all court processes via fax

Tom Achtymichuk - Class of '89's contribution to the SCC

Sara Adamson - playing Snow White in Disneyland and living with seven little guys

Deborah Alford - voted Miss Congeniality of class of '89, now a used VW dealer

Susan Allison - daughter successfully sued her for half her degree, with which she started up her own law firm

Norm Anderson - gutted

Quinten Anderson - now a really nice guy, married to a really nice "lovely" with three really nice kids and a really nice dog (supports feminism, too)

Mary Jane Armstrong - has successfully sued everyone in her family for medical malpractice

Derek Aschenbrenner - head court house librarian, owns his own gold-plated library cart and his own tanning salon

Roger Bauman - his firm in Toronto is flying him to Edmonton for 20 year reunion

Rick Beingessner - very active in Alberta's thriving oil & gas industry — bought Ho Ho's

Carolyn Bentley - broke and destitute in Palm Springs

Carol Berger - manages fast food chain which features male exotic dancers called "Berger 'n Buns"

Cynthia Bertolin - Carla C. (class of '90) practices law with Cindy and medicine with Cindy's hubby

Peter Beyak - suffered frost-bitten buttocks walking down Jasper Ave in Love Pythons costume in January of 2008

Darren Bieganek - senior partner of Bieganek, Dziwenka & Co.; currently looking for new receptionist (again)

Stephen Black - leaves the practice of law to return to the rough 'n tumble, zany world of accounting, as it's more fun

Douglas Bodner - author of best-seller "The Practice of Law and Crisis Management"

Chris Borgstede - centrefold for Canadian Bar Review

Dino Bottos - discovered adverse effect of Pacific air on hair care products... looks great with an afro

Bettyanne Brownlee - climbing the ranks of the AG's because she likes working in a building with her name on it

Rand Buckley - first lawyer to clean and jerk the Alberta Court of Appeal

Jo-Ann Burgess - GM/coach/player/general counsel of Flames; heartbroken when franchise sold to Moose Jaw

Enzo Calamo - has become Uncle Luigi; carries briefs in violin case; currently staring in Robo-Hopp VII

Iain Cameron - first Alberta New Democrat premier; wins on platform of gun control, government-run insurance plan and pre-paid legal care

Susan Chafe - President of Sable Island Medico-Legal Society

Alice Chapman - bought Wardair back from PWA

Kathy Cherniawsky - co-host of Sonny & Cher's Comedy Tax Hour

Robert Chong - aerobics instructor; moonlights as Minister of Finance (specializes in low impact budgets)

Mae Chow - now officially Silvia Yee

Geri Christman - runs thriving practice out of Pembina Hall

Blair Clintberg - after winning landmark constitutional case in U.S. Supreme Court, accepts Republican nomination for presidency

Michele Collinson - finally makes the big move by quitting full time job to take up the practice of law

Edith Cook - co-authored best seller with Wally Mis, appropriately entitled "Cook's Law"

Sandra Corbett - allegedly in house counsel for Skinheads Inc. of London, England

Michael Demers - leaves Vancouver firm to re-article in Calgary

Peter Dobbie - net worth over $4.3 million, still driving $800 pickup truck

Lynal Doerksen - quits the law, goes into siding business — "Lynal's Vinyl"

Mark Dolgoy - produces best film at C.A.N.S. Film Festival

Patrick Dolphin - has thriving law practice; takes time out to star in Flipper remake

Allan Domes - is "a big pecker"

Carolyn Dugdale-McCashew - daughter married an artist; fled to Chile in disgrace

Gary Dziwenka - other senior partner of Bieganek, Dziwenka & Co.; oops! there goes another one...

Robin Erickson - Junior partner in law firm: Batman & Robin

Earl Evaniew - senior partner at Emery Jamieson; has retained his interest in community service and provides legal advice to Immigration Services - pro bono

Bridgette Fouillade - Canada's ambassador to France; resides in St. Pierre Miquelon

Susan Fox - couldn't decide to be a feminist or a Greenpeacer; compromised by striving to save the female whales first

Jocelyn Frazer - making millions marketing condom jewellery

Rafaella Garofalo - Canada's leading lawyer/Renaissance artist

Bruce Geiger - now a C.A., advertises as Geiger-Counter

Robert Girvan - operates sole practice on a sail boat somewhere off west coast; still accruing overdue book charges at law library

Leila Gosselin - senior partner at Goose and Gosselin; practice restricted to Aviary Law

Rod Gregory - coaches rugby team in Waterton

Thomas Grue - Edmonton City Police Commissioner/Counsel/Bailbondsman

Ronald Haggett - maintains law practice out of Gold-Range Saloon in Yellowknife, N.W.T.; contingency fees on request

Ian Hamilton - Head honcho, London head office of Skinhead Inc.

Richard Hart - Managing Beatles Revival Show: "I am the Walrus Coo-Coo-Ca-Choo"

Lynn Hartley - makes name defending Canadian Equestrian Team on charges of steroid abuse

Annette Hauser - married a guy named Frankie, has teenage son named Cubbie; owns a Jaguar dealership; forgets what it's like to be poor

Lawrence Hazlett - recently defended John Deere in Combines Investigation Act action

Mary Henderson - senior partner at Henderson, Bentley, Schubert, Bryan & Wilson, now referred to as the old girls club

Karen Hewitt - refused an appointment to the S.C.C. for fear that the public would find out about her secret desire to become an "Egyptian Transvestite." Now practicing law on golf courses.

David Hicks - writes survival guide for law students entitled "Hicks' Tricks"

Cindy Hill - national president of the Batman Fan Club

Leslie Hills - practicing law and running family planning clinic in basement of Law Library

Carolyn Hiron - makes the move from WLF to WWF; manages female wrestlers

Terry Hofmann - becomes President of NHL after Zeigler finally retires

William Hogle - (aka Leader of the Pack) practice restricted to crim defences; last seen burning retainer fee from Hell's Angels on courthouse steps

Brenda Hryciw - recent contestant on Wheel of Fortune whereupon she bought a vowel

Deborah Hughes - senior counsel for the International Association of Arson Investigators

Janine Isenegger - recently conducted archaeological dig in Gerry Gall's office

Susan Jensen - opens chain of drive-thru Charter Challenge franchises (over 5 million served)

Ronald Jewitt - fathered enough children to form his own hockey team

Barbara Jones - unseats Grant Mitchell in Liberal leadership race

Robert Kassian - last seen yakking into the planter at the recently opened Hotel Macdonald

Mark Kenney - opens nationwide Good Humour franchises

Mark Keohane - leapfrogs his brother Peter through various faculties and degrees; both become students in perpetuity

Mae Khirdaji - she & hubby Max opened their own Falafel & Schnitzel Emporium ("free will with every donair")

Bruce King - wears 1.5 karat diamond earring stud (i.e. has thriving practice) yet still wondering if appropriate ear is pierced

Claire Klassen - (aka the Queen of Equity) last seen being chauffered around in pink limo that she won for being Mary Kay's top salesperson of 20th century

Kathleen Kohlman - loves free trade — opens Frederick's of Edmonton

Mark Kortbeek - opened law firm/brothel in Bangkok

David Lardner - finally got shut out against future law mighty mites

Robert Lee - together with Carol Mah started up practice restricted to seniors called Grand-Mah Lee's

Marie Lefebvre - gave up thriving French language rights practice in Alta. to head up new Federal gov't propaganda campaign advocating English-only signs in Que.

Steve Livingstone - OD'd at 20th Anniversary of Love Pythons... film at 11

Lori Lockwood - she's been in labor for over 20 years

John MacDonald - (aka the Rice Crispie King) writes leading texts on farm implement law and sambuca shooters

Edith MacFarlane - will be starting up a family practice with her son when he graduates from U of A Law next year

Cheryl MacInnis - law school romance continues; she and P.U. (class of '87) last seen sailing around Gulf Islands

June MacIvor - writes first elementary school law reader, "Torts for Tots"

Barbara Maclean - introduces first line of knit robes for court

John MacNaughton - pace car at Indy; first owner-operator of a stealth chair

Patricia MacNaughton - spearheads union drive for legal secretaries

Carol Mah - see Robert L. above

John Makaryshyn - Human Law Search, outearns QL, has own 1-800 number

Richard Mallett - crown king (i.e. "legal for life") at St. Joseph's College

David Mann - recently completed hostile takeover of Donald Trump's empire and kicked sand in his face

Barbara Mason - mayor of Calgary; former Stampede Queen and two-step champ

Lynn McDowell - editor of Tacky Advertising of Canadian Bar Review; hits #1 for bestseller of her book: "Tall Tales I told to The Alberta Court of Appeal"

Dulcy McLaughlan - established daycare for children of law students; court case re tape recorders successfully argued (*McLaughlan v Mis* [1995] 1 SCR 570.)

Sean McMaster - editor-in-chief of National Lampoon

Michele Mendryk - last seen standing in line at Pac-Man machine in foyer of Supreme Court building

Roderick Mont - still maintaining a minimalist perspective

Richard Morris - air force general; wife leaves him because Steve and Cam take too much time in the bathroom

Joseph Nahman - published first pre-highlighted series of law case books; later became colourblind and had to quit the law

Linda Neilson - spearheads the "Bring Back Broadbent" movement, only to become leader of the NDP herself

John O'Callaghan - replaced Roy Orbison in Travelling Wilburys

Gina Olofson - overturns helmet legislation

Victor Olson - claims to be the most senior partner of Olson & Schubert

Lennea Oseen - just gave birth to her tenth child, who was also late

Joseph O'Sinski - practice restricted to Irish Polish nationals

Nicolette Papirnyk - CEO, fashion director and in house counsel of Vogue; executive director of Greenpeace

Scott Park - now completely grey, but still breaking hearts

Julia Parker - in house counsel for Tyrell Museum of Paleontology

Denise Perret - self-confessed food slut, last seeing weighing 100 lbs and weeping openly into a Baskin-Robbin's double-double chocolate ice cream cone

Michael Peterson - in house counsel for the Philadelphia Flyers

Robert Pluim - partner at Gloom, Doom & Pluim; bankruptcy practice

Laurel Podiluk - hostess of annual IUD party (Informal Ukrainian Dinner), serves PCB's (perogies, cabbage rolls, borsch)

Doreen Poon - president of Alberta Trial Laywers Association but still trembles when making public addresses

Alexander Pourbaix - senior partner and head of articling committee at Bennett Jones

Cliffton Purvis - coaching Canadian National Rugby Team, when sober (Tuesdays)

Robert Rakochey - still the most interesting person he knows

Eleanor Reid - night owl law practice; has not been seen during daylight hours for several years

Simon Renouf - dean

Edward Robinson - still doesn't see eye to eye with Tammy

Monte Ruttan - employee of the month at an A & W somewhere on the west coast; emphatically stresses that he no longer has to clear tables

Joan Saber - had to quit the law because she's too busy and tired raising Ron's hockey team

Sydney Sabine - president of Toastmasters International

Cheryl Sanford - still correcting judges on the pronunciation of litigants' names

Alexander Schmeisser - follows in footsteps of mentor Burke Barker; teaching crim law at U of A

Robert Schmitt - steroid recovery program rockets Bob to 2008 Olympics; beats Ben Johnson in 100m. sprint

Heidi Schubert - claims to be the most senior partner of Schubert & Olson

Ruth Schwab - works at Johnson & Johnson; head of Cotton Schwab Department

Paul Scott - left the law; is now chartering fishing expeditions in Nfld.

Miriam Sheckter - still can't find "dick" on Legal Drafting

Peggy Shuman - revelling in the fact that all her law school peers are finally showing some signs of stress and age while she hasn't changed a bit

John Sinclair - bumming cigarettes at the Court of Appeal

Karen Sinclair-Santos - successfully sued Baaco Pizza for slight of Scottish; thriller at Manila

Kenneth Slupek - never pitched on a Jewish holiday (oops! maybe that was Sandy Kofax...)

Devonne Sorenson - owns 40% of Muzak Inc.

Steven Stauffer - still making Stove-Top Stuffing

Nancy Steeves - president of National Health Law Institute

Vivian Stevenson - CJC; last seen running around in a panic saying "Oh my God! I don't know anything!"

Alison Stewart - quiet yet thriving local law practice; legs are insured for millions

Tracy Sullivan - is the secret shareholder of "T.J.'s Ltd." - worldwide manufacturer of elephant foreskin (expandable) lingerie

Georgeann Szala - following in Mme. Justice Picard's footsteps in Health Law; soon to be appointed to QB

David Tam - opened Alberta's first pharmacy with a law firm in the back (open Sundays)

Hilary Tanasichuk - Chatelaine's woman of the year, senior partner of Bubbles, Skippy & Co.; married to garbageman (kids following in dad's footsteps)

Tammy Tannous - point guard on John V's basketball team; still has a few more cases of Class of '89 wine to sell...

Valerie Thomas - co-authored secretarial handbook with Susan A., Lynn M., Patty M., and Laurie P. entitled "Why Do the Work of a Lawyer if You Don't Get Paid Like One?"

Michael Tilleard - in house counsel for Royal Family Inc., recently knighted

Heather Treacy - still trying to learn how to spell Hanukah

George Turcin - selling beach front property in Dubrovnik

John Vanderbeek - still growing; owner-player of Calgary '88s

Robert Wachowich - changed his name, couldn't stand the pressure

Max Wandinger - see Mae K. above

Glenn Warkentin - becomes professional grace-sayer; in high demand; making bigger bucks than if he stayed in law

Suzanne Warne - now wears only white; still appears on Ivory soap commercials

Howard Welch - HL court jester

Melanie Wiliamson - administrator of senior citizens luxury condo complex in Florida

Ryan Woodman - now he phones kids to come pick him up after golf games & related social activities

Silvia Yee - ghost-writing Mme. Justice Wilson's judgments (they all start off the same, "I may be wrong but...)

Edward Yoo - undergoes world's first successful eyelid implant

Gerald Zaph - blue cardigan now retired in Law School Clothing Hall of Fame

Andrew Zebak - anonymous author of Elmer Fudd's "Tax and Tackle Tips"

Robert Zechel - partner at Flintstone, Rubble and Zechel; practice restricted to cavelord and tenant

Grad Formal Dinner, March 4, 1989

by Betty and Veronica

The 3rd year graduation dinner was a most civilized and well-behaved event! Was this because the parents were there?

The Grad Committee of Ron H., Dick O., Sandra C., Heidi S., Mary H. and Tammy T. did a fantastic job! Your organizational efforts were much appreciated by all the grads.

As everyone filed into the Hilton Hotel, it was obvious that the grads had gone all out! New dresses were prevalent, hair was tossed up into sweeping elegant styles, teeth were sparkling white and the guys were sporting tuxes and freshly pressed suits!

Rick M. (emcee for the evening) in keeping with tradition wore his kilt. We're wondering why he didn't just wear an apron? Maybe — it was because Nadia was there that evening! We're still trying to figure out some of Rick's jokes!

The evening progressed smoothly! Dean C. gave a welcoming address. Glen W. gave grace and then dinner began. The food was great and the conversation was even better!

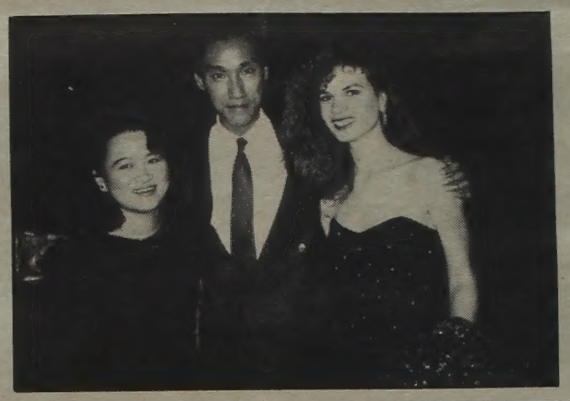
After dinner was eaten, Prof. Hopp gave a toast to the students. Hilary T. and Heather T. then gave a toast to the parents. Blair C. stole the show with his Valedictorian address. Look out David Letterman! Blair C.'s wit kept the audience in stitches. Justice Lieberman was the guest speaker for the evening and provided an entertaining speech to all!

It was a great opportunity for the grads to celebrate the accomplishments of the last 3 years with their parents and fellow grads! Meeting the parents was fun!

We finally got to meet Mrs. Zebak — the person who raised that strange creature Andrew! It's also not hard to tell what Norm A. will look like in 25 years — like father — like son!

It was also a good opportunity for spouses to get together and celebrate. Much dancing was done by all!

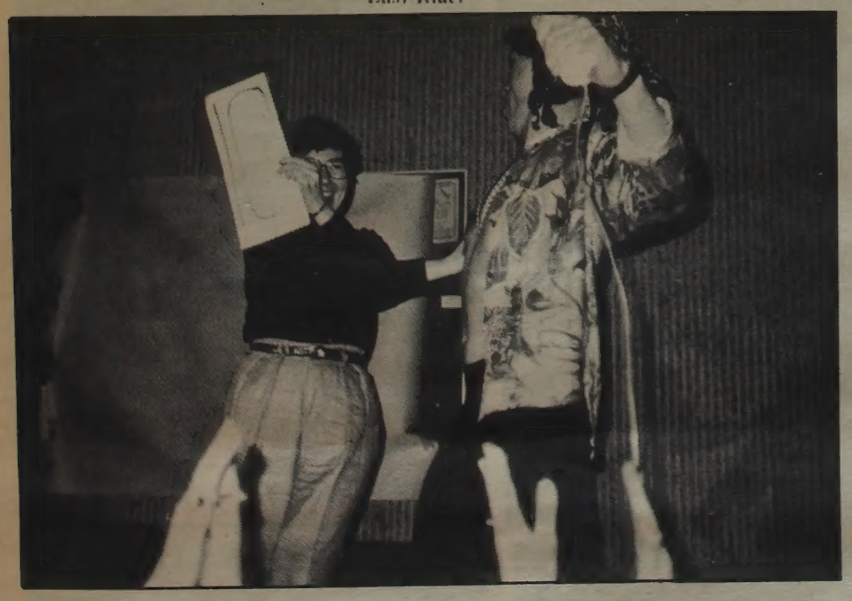
The evening ended off at New York New York! Parents were sent home while grads relaxed and continued to celebrate!



Reynolds & Co.

Sex Kittens

Easy Rider



Two Hot Skirts & a Posse

128 Rock and Roll Reports 7 R.R.R. (3d)

RE AIRBAND FABS

Alberta Court of Appeal

O'Reilly, Schorn, Melnyk, and Bell JJ.

March 6, 1989

The judgment of the Court was delivered by:

O'Reilly, J.: This is an application by a fine young band by the name of Man's Best Fred, who seek an order of certiorari against the decision of the Airband Judges tribunal. The applicants maintain that the evidence produced before the tribunal showed them to be a hugely talented group of artists (and the record bears this out), who were denied a higher score, and thus a victory in the contest, by a perverse finding by the panel. There are also allegations of bias, failure to provide reasons for decision, lack of a fair hearing (pun intended), and a violation of the right to stardom, protected somewhere under the Charter of Rights and Freedoms, I am sure.

As this is a Court of Appeal case, I must go through a good deal of meaningless nonsense to make it appear that I have even considered the parties' presentations and that this decision is somehow based on precedent. However, I note the recent and highly authoritative *Cannons of Construction Guide For Better Legal Writing*, and I will employ its recommendation that the decision I made shortly after breakfast this morning be given here, and the silly stuff appended to a "Tenure Seekers Only" section.

The issue is clear: did the tribunal act fairly on the facts? The answer is equally crystalline in its clarity; they did not. The widely held tenets of natural justice demand that no matter when the most talented act appears in the programme, they must be given straight 10's and that is the end of it.

That the decision of the panel was ca-ca poo poo and should be quashed is beyond dispute. And just so nobody forgets the unentrammeled nature of this court's jurisdiction, I am ordering Man's Best Fred declared winner of the Airband Fabs, and that the judges write on their score cards "I will not be biased" 100 times EACH!

Per Schorn J.: I agree.

Per Melnyk J.: Me too.

Per Bell J.: That goes double for me.

The Brady Bunch

Connie Domes & the Prophylactics

Articling Interviews on Hold

by the Articling Committee

Thanks to the wonders of modern technology, a video teleconference took place on March 6 between representatives from both Calgary and Edmonton, both law school faculties, both law school student articling committees and the Legal Education Society of Alberta (LESA).

The participants in the March 6th meeting were: Donald Bishop, President of the Law Society; John Martland, Chairman of the Education Committee of the Law Society; Peter Freeman, Secretary of the Law Society; Richard Smith, Burnet, Duckworth & Palmer; Deborah Howes, Duncan Craig; Steven Hillier, Field & Field; Wayne Whitlock, Bennett Jones; Michael Wiley, Professor at the University of Calgary Law School; Dean Timothy Christian from the University of Alberta Law School; Penny Woodcock, Chairperson of the University of Calgary Articling Committee; Roderick Mont, Chairman of our Articling Committee; and Hugh Robertson, Executive Director of LESA.

A tentative interim agreement will be put together in the next few weeks as the representatives who attended the meeting talk to other firms and their respective organizations concerning the options raised at this meeting. The essential thrust of the meeting dealt with making sure that interviews do not commence before the last Christmas exam in second year. This ad hoc committee may also put forward a further proposed agreement at a later date.

Mr. Bishop stated after the meeting that the Law Society was pleased to be invited to the meeting and to be kept informed as to possible structuring of articling interview times. He was very much encouraged that all parties seemed interested in reaching some sort of agreement that would prevent the "1988 situation" from occurring again.

What follows is a description of Articling Selection processes in other jurisdictions:

Ontario:
The Law Society of Upper Canada has developed guidelines for the recruitment of articling students which all firms covered by the guidelines are required to comply with. Ottawa firms are becoming more coordinated in their efforts and moving towards a set period in the summer after second year for the recruiting process. The Toronto firms use a computerized matching system which has been integrated with the Vancouver computerized matching system through Laventhal and Howarth in Vancouver and requires a student to complete only one form if they wish to participate in the matching program in both cities.

In the Toronto and Vancouver Matching program students apply directly to any firm with which they wish to interview, and students and firms interview and evaluate each other independently of the Matching Program. However, no offers are made during the interview period. Students and firms can fully evaluate each other before the firms must decide on their preferences for making offers, and before students must decide on their preferences for accepting offers. After all interviews are completed, each student submits a confidential Rank Order List on which the student lists the firms from which he or she would accept an offer in order of the student's preference. Similarly, each firm completes a confidential Rank Order List on which the firm lists the students it is prepared to hire in order of the firm's preference. Each firm also indicates the number of students the firm intends to hire.

The Matching Program then serves as a clearing-house, simulating the making of offers by firms, and the acceptance or rejection of offers by students, based entirely on the Rank Order Lists submitted. The result of the match is that each student is placed with the highest ranked firm on the student's Rank Order List that does not fill all its positions with students it preferred. Similarly each firm receives acceptances, up to its quota limit, from the highest ranked students on its list that do not receive positions from firms that the students prefer. No student is by-passed by a less preferred student on a firm's Rank Order List.

It is possible that all of a particular firm's positions will not be filled in the match, and that some students will be left unmatched. Following the match, information on positions that remain available after the match is provided to students who are not matched to a position. Similarly information on unmatched students is provided to firms with unfilled positions. These unmatched students and firms with positions available are free to contact each other, and to negotiate directly with each other, independently of the Matching Program, to fill available positions.

All Information submitted to the Matching Program is kept confidential. Each student is given only the final result the student obtains in the match. Each firm is provided with the names of the students it obtains in the match. Students and firms are NOT told how they were ranked by each other.

British Columbia:
The Law Society of British Columbia does not have any rules or regulations regarding an articling recruitment. However, the Vancouver Bar Association has implemented a voluntary recruitment program for Vancouver firms which is based on a computerized matching system. Interviews usually occur in the third week of August for students who have completed their second year of law school. Firms who do not participate in the matching program tend to interview students during the week before the Vancouver scheduled interviews or during that same week as they find it convenient for both themselves and the students.

Quotable Quotes

"It is so cold I saw two lawyers walking with their hands in their own pockets!"
Prof. Hopp on the day of the big snowstorm

"That's like jumping from the frying pan into the kettle."
Prof. Mis... again

"That thing you want? I have it."
Prof. Burrows to Heather G. (1L) - an obiter remark in Constitutional Law

"I'm not stalling I just don't want to do it before I'm ready."
Dick O. (4L) to Cindy B. (4L), to which the latter replied, "All I want is your CANS."

"I'm not a rear entry kind of girl."
Eleanor R. (3L) discussing ski boots

"It is better to be right than to be a lawyer — that's why I didn't take notes."
Richard Y. (2L)

"Now, m'lord, I'd like to get to the juicy bit."
Buddy M. (2L) moving to a discussion of s.1 of the Charter at the Alberta Challenge Cup

"If we'd known there was going to be a video camera, we'd have done it with the lights on."
Mary H. (3L) speaking regretfully over her Swine Lake performance at Stag

"Boy, this year's LSA executive has been great. I wonder if it's because I'm not on it this year?"
Rick M. (4L) somewhere under a table at Dewey's

"Steve Phipps said the moot was more fun than grad."
Kathleeen K. (3L) to Barb M. (3L) on missing the grad formal to participate in moot competition, to which the latter replied, "Thanks, I was his grad date."

"'The skill of a good lawyer is to say little, clearly.' The comma may have been omitted in an earlier edition."
Richard Y. (2L)

"This court room looks like the parlor of a Victorian bordello."
Bob White's description of the moot court room

Sports

by Chris Felix (2L)

Things have been fairly slow on the sports front lately. However, there were still *two* success stories.

First and foremost, the ladies hockey team demolished the Forestry and Phys Ed teams to meet the Nurses in the championship final. Goaltending wasn't my suit (nor could I have survived such a stench for another two games!). So many thanks are in order to Elisabeth B. (1L) for taking my place and your great goaltending in the last two games.

Despite missing several players because of Stag, we still managed to mangle the Nurses 8-2. Credit to the *whole* team and especially to stalwarts Donna A. (1L), Laura C. (1L) and Shirley R. (2L).

Also, special thanks to coaches Phil H. (1L), and Warren S. (1L) who offered special incentives for the players, who, by the way, are still waiting for the pay off. Looks like we'll be ready for Saskatoon come Halloween!

The men, aided by Jo-Ann B. (3L) and Mary H. (3L), followed suit with an undefeated record and championship in field hockey. The second game was sent into a shootout by Dan L.'s (2L) tying goal in the final seconds. Brian K. (1L) was acrobatic in goal to earn the win. In the third game, Peter Lown, former national team player, scored one of the goals in the 2-0 win.

Overall, it's been a great year for sports, both with participation and success! The reputation of the Faculty of Law (at least with respect to intramurals) has been restored to what it once was. At present, the women are fifth overall and the men are third overall (with hockey points yet to be tabulated) in intramurals. The Western Canada Hockey Tournament was a major highlight of the year. Let's hope we will continue where we left off come September 1989!

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Report on Stag

by Betty and Veronica (3L)

Once again the annual law school stag was a success thanks to the organizational efforts of Glen W., Veronica (a.k.a. Sandra C.) and Barb M.!

The evening started off with that "graceful group" known as "Swine Lake" dancing their way into the hearts of all. Especially when Norm A. performed that beautiful lift on Sara A.! By the way Norm was that your real nose or a fake one?

Best costume awards for the evening go to the boys in blue! (But seriously guys don't you know that those ruffled shirts and blue tux jackets have been out of style for years?) Andrew Z. once again refusing to conform with society; showed up in beach formal wear and proceeded to drink Chi-Chi's and Margaritas for the rest of the night. Hilary T., Jocelyn F., Marie L., Rob R. and Randy B. your tuxes were great!

After dinner the "Hopper" 3rd year Honourary Class President was greeted by a standing ovation as he gave another one of his great speeches!

The real fun began then with the skits!

The 1st Year Skit: Other than the problem of the language (Too much F-----!); the 1st years provided us with a pretty entertaining skit. We were finally able to see Profs. Klar and Pringle on the big screen. Now we know that Prof. Pringle is not only a crim. GOD but also a hockey GOD.

2nd Year Skit: Pretty erotic! Except for the Julie Andrews scene. So many pot shots were taken at different groups and people in the law faculty that I'm sure the true writers of this film will never come out of the woodwork!

3rd Year Skit: Well what can we say?? For the second year in a row our film died. At least this year we had "Robo Hopp" to fall back on. It's funny how Robo Hopp can be the unsung hero in this film and yet be holding the big knife in "Swine Lake." Try and figure that one out? Split personality perhaps?

4th Year Skit: Booorrrriinngg!

After the skits the dancing began! The dance floor was pretty busy that night! Veronica didn't realize how much mileage she could get by showing off her cleavage!

And of course the evening wasn't over by the time we were all kicked out of the Coast Terrace Inn! Partying continued until the wee hours of the morning!

Valedictorian Speech

by Blair Clintberg (3L)

Ladies and Gentlemen, Fellow Students and Honored Guests, good evening.

In preparation for this speech, quite unlike the way I have prepared for my classes of late, I did some reading — and found that Webster's Dictionary defines "Valedictorian" as "the student who gives the farewell address at the graduation of his class, **traditionally** the student who has the highest academic ranking." As my transcripts would substantiate, tradition has fallen by the way this evening in at least one aspect. However, even though I'm not in the top half of my class, I'm certainly one of the people who makes the top half possible.

With that in mind, I would like to begin this address by asking each of my fellow classmates to return to the time just three short summers ago when you asked yourself the question, "How do I become one of the chosen few?"

Unfortunately, even then senate reform was in the air so you considered your options. You could have been a success at anything you wanted. Instead you chose to devote your life to the law.

Then you had to decide which law school to attend, in other words, which institution would provide you with a superior education and best prepare you for a career in the legal profession; in short, you had to separate the blue chip from the buffalo chips. But you missed the University of Toronto's application deadline and you found yourself at the U of A at first year orientation listening to Dean Christian as he welcomed us by stating, "In law school it is important not to fall behind. This is because we eat our young. Good luck and have a nice day."

In reality, the speeches at orientation were meant to put you at ease and make you feel confident. However, it must be remembered that similar speeches were made to the U.S. Marines just before they landed at Iwo Jima, probably for the same reasons and with the same effect.

Simply put, we were scared... for law school is the single most famous rite of passage in history, as well as the most arduous, combining the courage of Zeus, the labours of Hercules, the wisdom of Solomon, and the voyages of Laverne and Shirley into a gauntlet of mythic proportions where only the truly worthy or very well connected survive.

The classrooms we entered in those first days were really courtrooms, we were the defendants and the case against us was strong. And the way we were taught in those classrooms was something that we had never experienced before. We found out that while modern civilization owes a great deal to Ancient Greece — Homer, Plato, Feta Cheese, and Black Olives to name but a few — the greatest gift that the Greeks gave to law school was an elegant, lucid type of philosophical enquiry called the Socratic Method, otherwise known as S & M. This faculty, however, like most major law schools, saw fit to reject the Socratic method of teaching (which is based entirely on reason and logic) in favour of the case-book method (which is based entirely on Abbott and Costello).

Predictably enough, after just a few weeks of 18 hour days, many gallons of Maxwell House, and a willingness to allow our bodies to become wracked with Vitamin "D" deficiency from lack of sunshine, many of us came to the realization that it was impossible to stay abreast of every class... and we remembered Dean Christian's warning.

Consequently, in an effort to stay on top of things some of us formed study groups, a sociological phenomenon endemic to arsonists, green berets, law students, and other groups blessed with similar siege mentalities.

Others around us resorted to using the 'canned' legal briefs that could be bought from the Law Students Association. Our professors warned us that to rely on and read directly from canned briefs when called upon in class would be suicidal. This is because they were **teaching** from the canned briefs and would recognize the syntax immediately.

Still other students discovered one of the truisms of law school: you are where you sit. Soon people began arriving for class 2 or 3 hours early just to reserve the coveted back row seats in order to avoid being called upon by a professor. To coin of phrase, "Out of sight, out of mind."

Of course, in first year we were treated to a beggars banquet of a curriculum.

In Constitutional Law, Prof. Ross taught us that if all the Supreme Court justices were laid end to end they couldn't reach a conclusion. And we found out that *everyone* has the constitutional right to Bora Laskin's opinion.

In Prof. Ziff's Real Property class we learned about arcane, convoluted, and outdated 16th century property doctrines which seemed slightly irrelevant to 20th century law students. But we were responsible for them on the final exam which gave them a helluva boost relevance-wise.

The most ancient and anachronistic concept we faced in Real Property, aside from the professor, was the infamous "Rule in Shelley's Case" which states:

> Wherever a man by any gift or conveyance takes an estate of freehold, and in the same gift of conveyance an estate is limited, either mediately or immediately, to his heirs in fee simple, the word 'heirs' is a word of limitation and not of purchase and does not confer any distinct estate on his heirs.

Simply put, the rule deals with "future interests" which is very appropriate since, when students are confronted with it they immediately develop future interests in careers other than law.

We also studied Torts and the concept of negligence with Professor Law. Torts was fun. In Torts we learned that *anything* is possible and that someone is *always* responsible, usually a blender company.

And then, just like all the first year classes before us, in January and February we entered the moot court room and valiantly argued a contested point of law. And we did quite well, thank-you very much, and this despite the fact that the gruelling preparation and numbing stress had left most of us with all the intellectual range of a windshield wiper.

Then came exam time, our first exposure to 3 hour 100% finals. And as everyone studied furiously in the library it was so quiet that you could almost hear the grey cells dying.

After exams there was one more lesson that we learned, however: in law school, exams are written in haste, but marks are returned at leisure.

Before we knew it, however, second year was upon us, the hardest and most difficult year of law school that saw most of us carrying 6 or 7 substantive law courses.

But a change had come over us in second year. We were a little more comfortable, a little more at home at law school and we recognized the necessity of un-winding a little bit more. In fact all the socializing and partying at law school is an education unto itself. Thankfully, however, we never let our studies get in the way of our education. And we were all wise enough to remember that alcohol and gasoline don't mix. But we tried them separately and found that everything was just fine.

As well, by second year, the much reviled, but little understood law school grapevine was producing a particularly robust vintage and we all knew that there was indeed truth to the statement that gossip is the foreplay of social intercourse.

It was only natural after months of being cooped up in the law building and seeing only law students for days on end, that Cupid would eventually strike. It was accurate to say that familiarity breeds attempt and certain of us pursued romance with a fellow law student, hopefully someone of the opposite sex.

However, before we knew it, January had arrived and it was time to go out and interview for an articling position in preparation for our eventual departure from law school. All this when it seemed like only yesterday that you had forged your transcripts and recommendations to get *into* law school.

In selecting the proper attire for interviewing, the men at least, all adhered to the Harry Rosen Doctrine and declined to put the "yes" back into pol*yes*ter. In short, you could wear any suit you liked, so long as it was charcoal grey.

As to our responses at interviews, they were as natural, spontaneous, and un-premeditated as D-Day was. We also discovered that there were certain phrases that seemed to increase a person's chances of getting a job. Ones like, "Thanks for giving me the interview Dad," or, "This gun is loaded," seemed to work best.

The academic burdens of second year, however, were never far from our minds. We tried to fulfill the written work requirement and found out that if you steal from one author it's plagiarism, but if you steal from many it's research. We continued going to classes and increased out legal expertise as a result. In Family Law, Prof. Pollock's casebook showed us that chastity is curable if it is detected early enough, while in Company Law, Prof. Mis reminded us that some people confuse bad management with destiny.

Almost before we knew it, though, second year had passed and so had we.

If second year was a blur, however, third year was, and is, a blah. After three years of law school, every class had become a perfect educational environment. The gracefully curved classrooms, the melifluous voice of your professor berating the students in the first three rows, the soft fluorescent lighting designed to reduce glare — all these things combined to create an ideal setting — for a nice long nap. And, after three years, we were very, very tired. In third year you no longer asked yourself, "How can I become one of the chosen few?". No, third year was when you asked yourself, "Why should I work so hard to support a bum like me?". And you decided not to.

This general malaise all flows from the fact that after three years here we know the cure for wanting to go to law school... *is to go to law school*. And as we prepare to enter the legal profession we can only hope that ignorance of the law excuses no man... from practicing it. Conversely, and unfortunately, we have heard that during articling, the reward for work well done... is more work.

Still, most of us will go on to actually practice law, but some of us will find it too mentally taxing and will run for premier instead. Some of us will practice law outside of Alberta, in places like Saskatchewan and other third world areas. One thing is certain however, 10 years from now when you are making $150,000 dollars a year, remember all the professors who gave you 5's when you deserved 8's... and you'll know that success is the *best* revenge.

To be sure, however, at a gathering such as this it is only appropriate to reflect on the law school experience, what it has meant to us and how it has changed us.

During these three years, we formed friendships that will last a lifetime.

We concluded that, sometimes, if you want your dreams to come true... you don't get much sleep.

As well, this evening, it is only natural to remember our professors, those persons who challenged our intellects and expanded our horizons. To them, we owe a great debt and we are thankful.

We must also variously thank our parents, spouses, families and friends for giving us the support and understanding which enabled us to persevere and reach this day, a task that was complicated for those among us who had the additional burden of raising families, of working part-time, or of putting other dreams on hold.

As we close this chapter in our lives, we are faced with a tremendous opportunity. But opportunity is nothing without ability. Therefore, — as law students, I hope that we are proud of what we have accomplished here. As lawyers, I hope that we will have learned from it.

In closing, I would just like to remind my classmates that no matter how difficult or trying these three years have been, some day soon, they will be remembered as your "good old days." And as you look around this evening and see the faces of so many friends and remember so many special moments, I think it is fair to say that... that day of reckoning has come a little early, as early as tonight.

Congratulations Class of '89. I hope to see you around.

Thank-you and good evening.

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Betty and Veronica's Eagle Enquirer

Fellow eagles, Betty and I are sad to announce that this will be our final appearance in the illustrious *Cannons of Construction* (as long as we don't have to repeat 3rd year!). The "Eagle Enquirer" will be short, sweet and to the point; without further ado, here's the goods...

Recently engaged eagles include John V. and Brenda H. (voted "most likely to be..." in an earlier "Betty and Veronica"), and Rick M. and Nadia (soon to be "M."). Congratulations to all on their coming nuptials; in fact, Betty and I hear that September 30 will be the big day for both happy couples.

Dating but not yet engaged are Blair C. and Donna M. (2L)... whew! Betty and I are worried that Blair C. will get us back for this one!

Still trying to figure out... Barb M. and Ron H. ... hmmm ... is it love, or is it just spring fever!

Expecting is Tom G. (actually Mrs. Tom G. is the one who is pregnant, but they are both having the baby!). Congratulations Tom! Similar congrats to Ryan W. and his wife!

Well, that's all the major news amongst the third year class since the last issue of the *Cannons*.

Betty and I would like to take this opportunity to thank everyone on the *Cannons* staff who has put up with our habit of missed deadlines over the past three years, especially Laurie P. We'd also like to thank the Class of 1989 for their support and indulgence over our years as gossip columnists. Good luck to you all and keep in touch!

Hugs & Kisses,
Betty (Heather T.) and
Veronica (Sandra C.)

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AHCLE Picks Winners

Amid much staggering about and at times wild gesticulating at the shadows at the back of the cave, the ad hoc committee has, in its uniquely arbitrary fashion, come up with, we are delighted to say, a list, by god, a list of WINNERS! That is, we are going way out on a limb to identify, to name the names of certain professors of law who we think (the crust!) best exemplify some of the attributes our committee holds to be essential in the process of communicating a legal education.

To Prof. Jim Robb: duo kudos, both for exploring an alternative evaluative schema and for maintaining human story and scale in the pursuit of precision and accuracy in the course on Evidence.

To Prof. Ted DeCoste: kudos for the challenge, irreverance and bite of questioning calculated to mobilize sleeping troops of thought in Jurisprudence.

To Prof. Richard Bauman: kudos for placing ideas about Corporation Law within a context in which feminist critiques get laid end to end [just testing the old sense of humour — yours and ours] with capitalist theories buoying up the likes of pirates such as T. Boone Pickens.

To Prof. Gerald Robertson: kudos for pursuing a clear, classic version of Torts with evident, albeit wry, good humour.

To Prof. Ann McLellan: kudos for spirited, encyclopaedic "joie de vivre" in Civil Liberties.

We, who are about to die, salute you!

The Ad Hoc Committee for Legal Education:

Lorris Williams
David Scorgie
Richard Yasny
Kirk MacDonald
Karen Munro
Karen Trace
Brad Madill

The Green is Always Grassier After Exams

by Rob Rakochey (3L)

For the past three years, the end of the school term has been synonymous with the U of A Law School Invitational Golf Tournament. For those unfamiliar with this event, it is strictly a social tournament for players of all calibre (the scores ranged last year from 77 to 229!) with a bar-b-que dinner to follow. This event has been well patronized not only by students, but by faculty, staff, articling students and lawyers.

Last year's winners — Rand Buckley and Merle Metke are anxious for the competition although the 1987 winners — Deb Hughes and Ryan Woodman will be hot on their tails. I would like to stress that although the event does have low-gross winners, players of all skill levels (and in the past we have had players of little or no skill) are encouraged to attend.

A special invitation is extended to the first year students, as often the firms that attend wish to golf with first year students.

The details of the tournament have yet to be determined but tentatively it is scheduled for Monday, May 1. This late date is due to the exam schedule ending on Saturday April 29. Further details will be posted in the law school. Any inquiries may be directed to Rob Rakochey (3L), tournament coordinator.

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